

APR 28 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>Count includes this sheet</i> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/685,106	
	Filing Date	10/14/2003	
	First Named Inventor	Harrington et al.	
	Art Unit	3641	
	Examiner Name	Stephen M. Johnson	
Total Number of Pages in This Submission	20	Attorney Docket Number	SD-7512 / 6-102,258

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form ☐ Fee Attached ☒ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☒ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation ☐ Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD Remarks	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): Summary of (4/26/2005) Telephone Interview with Examiner

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sandia Corporation		
Signature	<i>William R. Conley</i>		
Printed name	William R. Conley		
Date	04/28/2005	Reg. No.	55,844

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (703) 872-9306

Signature	<i>William R. Conley</i>		
Typed or printed name	William R. Conley	Date	04/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No. 10/685,106
SD-7512 / S-102,258

SUMMARY OF TELEPHONE INTERVIEW

Application No.: 10/685,106

First Named Applicant: Harrington et al.

Examiner: Stephen M. Johnson

Art Unit: 3641

Status of Application: Pending

Date of Interview: 04/26/2005, 12PM (EDT)

Participants: (1) Stephen M. Johnson and (2) William R. Conley (Agent for Applicants)

Issues Discussed:	Claim(s)	2/17/2005 Office Action Paragraph #	Agreed
(1) 35 U.S.C. 112 2 nd ¶ a) antecedence b) trademark use	Claim 13,14	3	See conclusions below
(2) 35 U.S.C. 112 1 st ¶ a) written description b) enablement	Claim 13,14	4, 5, 6 and 12	See conclusions below

Summary of the interview:

- i) The Examiner provided clarification as to the basis of the rejections to Claims 13 - 14.
- ii) The Applicant proposed amendments to cure the antecedence and trademark use issues.
- iii) Arguments were presented by the Applicant, in support of the specification providing an adequate written description, and enablement of Applicant's Claim 13 - 14.

Conclusions:

Agreement was reached that;

- iv) The antecedence and trademark issues can be cured with fairly minor amendments to Claims 13 - 14, and,
- v) The specification as originally submitted satisfies the written description and enablement requirements, if the language of Claims 13 - 14 is amended to better conform to the language of the specification, i.e. more clearly claim the invention.

Application No. 10/685,106
SD-7512 / S-102,258

Detailed description of the discussion:

Issue 1a:

In Claim 3 from which original Claim 13 depends, "said actuator" lacks complete agreement with "actuator means" as recited in Claim 1.

Applicant proposed to amend Claim 3 to recite "said actuator means" to cure the antecedence issue.

Agreement was reached that this would cure the antecedence issue.

Issue 1b:

Use of trademark "Claymore" renders the scope of Claims 13 and 14 indefinite.

Applicant proposed to amend Claim 13, replacing the phrase "Claymore mine" with the phrase "directional explosive". Support for a Claymore mine being a directional explosive can be found in the specification, for example in ¶37 and ¶38.

Agreement was reached that this would cure the trademark use issue.

Issue 2a:

Claims 13 and 14 stand rejected as failing to comply with the written description requirement, for claiming subject matter that is not adequately described in the specification.

Applicants submitted that as stated in MPEP §2163 (I), "...a satisfactory description may be in the claims or any other portion of the originally filed specification...". Applicants argue that Claim 13 and 14 as originally presented in the application, and the original specification, provide more than a satisfactory description of the invention as claimed.

The Examiner clarified the basis for the rejection being the language of Claim 13 as not clearly reflecting the invention as described and shown in the specification. For example, it is not clear how the angle in Fig 6, relates to "the angle with respect to the front of the case" as recited in the originally submitted Claim13.

The Applicant's proposed amending the language of Claim 13, to clarify the relationship of the angle to the distances determined by the invention. Agreement was reached that amending the language of Claim 13 would cure this issue.

Application No. 10/685,106
SD-7512 / \$-102,258

Issue 2b:

Claim 13 and 14 are rejected as failing to comply with the enablement requirement, for not reasonably conveying the invention, to one skilled in the art.

The discussion for this issue included that for issue 2a above, and agreement was reached that amending the language of Claim 13 as described above, would cure this issue as well.

With regard to Claim 14:

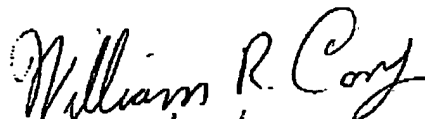
While not specifically cited in the Office Action, the Applicants proposed amending the Claims to properly introduce the phrase "said predetermined distance", currently lacking antecedence in original Claim 14.

Agreement was reached that this would cure the antecedence issue.

Note:

No prior art was discussed during the Interview, and the proposed Claim amendments discussed during the Interview, are not made in view of any prior art.

Respectfully submitted,


04/28/2005

William R. Conley
Agent for Applicant
Reg. No. 55,844
Ph: (505) 845-9110
Fax: (505) 844-1418
e-mail: conleywr@sandia.gov
Sandia National Laboratories
P.O. Box 5800 MS-0161
Albuquerque, NM 87185-0161